



City of San Leandro

Civic Center
835 East 14th Street
San Leandro, California

Minutes

City Council

Mayor Juan González, III
Vice Mayor Bryan Azevedo, District 2
Celina Reyes, District 1
Victor Aguilar, Jr., District 3
Fred Simon, District 4
Xouhoa Bowen, District 5
Pete Ballew, District 6

Tuesday, June 20, 2023

6:30 PM

Access the meeting remotely by using this URL
<https://zoom.us/j/506831637>

1. CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

The meeting was called to order at 6:33 p.m.

Assistant City Manager Janelle Cameron led the Pledge of Allegiance.

Present 5 - Aguilar Jr., Azevedo, Ballew, González III, Bowen

Absent 2 - Simon, Reyes

2. ANNOUNCEMENTS

Mayor Gonzalez with consensus of the City Council moved items 9., 10., and 11. regarding the Consent Calendar to be heard after item 3. Recognitions.

3. RECOGNITIONS

3.a. [23-298](#) Mayor's Award for Kindness for Giovanni Pinedo

This matter was Presented

3.b. [23-299](#) June 25 - July 1, 2023, as National Week of the Boys and Girls Club

Ki, Erich, Omar and Lynxx accepted the proclamation on behalf of the Boys and Girls Club

This matter was Presented

3.c. [23-300](#) June 19, 2023, as 'Juneteenth'

Art Stewart accepted the proclamation.

This matter was Presented

3.d. [23-316](#) Motion to Appoint Arlene Lum to the Human Services Commission

A motion was made by Councilmember Ballew, seconded by Councilmember Bowen, that this Minute Order - Council be Adopted. The motion CARRIED by the following vote:

Aye: 5 - Aguilar Jr., Azevedo, Ballew, González III, Bowen

Absent: 2 - Simon, Reynes

Enactment No:

9. AMENDMENT OF CONSENT CALENDAR

Approval of the Consent Agenda

Comments were made by approximately 2 people.

A motion was made by Councilmember Aguilar, Jr., seconded by Councilmember Azevedo, to Approve the Consent Calendar. The motion carried by the following vote.

Aye: 5 - Aguilar Jr., Azevedo, Ballew, González III, Bowen

Absent: 2 - Simon, Reynes

10. CONSENT CALENDAR

- 10.a. [23-276](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 4 to Consultant Services Agreement Between the City of San Leandro and Maze & Associates for Audit Services for the Year Ending June 30, 2023 (\$115,300) and Authorizing City Manager to Negotiate and Approve Further Contract Amendments with a Contingency (\$17,300) Not to Exceed 15% Received and Filed on the Consent Calendar.
- 10.b. [23-274](#) Adopt a Resolution to Approve 2022-2023 Third Quarter Financial Report as of March 31, 2023 Received and Filed on the Consent Calendar.
- 10.c. [23-275](#) Adopt a Resolution to Accept 2022-2023 City of San Leandro Section 115 Other Post-Employment Benefits (OPEB) and Pension Trust Investment Report for the Quarter Ended March 31, 2023 Received and Filed on the Consent Calendar.
- 10.d. [23-271](#) Adopt a Resolution to Authorize the City Manager to Negotiate and Approve Increases in Individual and Cumulative Change Orders from 15% to 20% (from \$940,200 to \$1,253,600; an increase of \$313,400) for the Construction Contract with D. L. Falk Construction, Inc. for the Police Building and South Offices Modifications Project, Project No. 2014.0481

Received and Filed on the Consent Calendar.

- 10.e. [23-273](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute a Purchase and Sale Agreement for the Acquisition of State Right-Of-Way for the Construction of the MacArthur / Superior Roundabout Project, Project No. 2014.0470

Received and Filed on the Consent Calendar.

- 10.f. [23-223](#) Adopt a Resolution to Approve and Authorize the City Manager to Award a Construction Contract to Pavement Coatings Company in the amount of \$9,207,613 for the Surface Seal Phase for the Annual Street Paving 21-23, Project No. 2020.0050; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% of the Original Contract Amount (\$460,380); and to Authorize the City Manager to Negotiate and Approve Cumulative Change Orders up to 10% of the Original Contract Amount (\$920,761)

Received and Filed on the Consent Calendar.

- 10.g. [23-256](#) Adopt a Resolution to Approve and Authorize the City Manager to Enter into a Project Funding Agreement with the Alameda County Transportation Commission for Grant Funding for the Lewelling Boulevard Streetscape Project, to Accept \$2,207,000 in Grant Funds and to Authorize Appropriation of \$253,143 in Matching Funds

Adopted on the Consent Calendar.

Enactment No:

- 10.h. [23-258](#) Adopt a Resolution to Approve and Authorize the City Manager to Enter into a Project Funding Agreement with the Alameda County Transportation Commission for Grant Funding for the Fairway Drive Traffic Calming Project, Accept \$58,000 in Grant Funds and Authorize Appropriation of \$6,653 in Matching Funds

Received and Filed on the Consent Calendar.

- 10.i. [23-261](#) Adopt a Resolution to Approve and Authorize the City Manager to Award a \$1,385,330 Construction Contract to Basset Engineering for the Sanitary Sewer Point Repairs 2022 and Wicks Boulevard Vault Cover Replacement Project, Project No. 2022.0120; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$69,267) of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value not to Exceed 25% (or \$346,333) of the Original Contract Amount and to Appropriate \$500,000 from the Water Pollution Control Plant Enterprise Funds

Received and Filed on the Consent Calendar.

- 10.j. [23-257](#) Adopt a Resolution to Approve and Authorize the City Manager to Enter into a Project Funding Agreement with the Alameda County Transportation Commission for the Hesperian Boulevard Gap Closure Project; and to Accept \$255,000 in Grant Funds and to Authorize the Use of and Appropriate Match Funds of \$29,249

Received and Filed on the Consent Calendar.

- 10.l. [23-279](#) Adopt a Resolution to Approve Five (5) Community Development Block Grant (CDBG) Agreements totaling \$141,342 for Fiscal Year 2023-2024 Between the City of San Leandro and CDBG Sub-Recipients for Public Services Grants to CALICO (Child Abuse Listening, Interviewing, and Coordination Center) for \$22,000; Davis Street Family Resource Center for \$30,000; Service Opportunities for Seniors, Inc. (SOS/Meals On Wheels) for \$39,000; Spectrum Community Services (San Leandro Senior Nutrition Program) for \$30,342; and ECHO Housing for \$20,000

Received and Filed on the Consent Calendar.

- 10.m. [23-287](#) Adopt a Resolution to Approve a Community Development Block Grant (CDBG) Minor Home Repair Grant Agreement for Fiscal Year 2023-2024 Between the City of San Leandro and Sub-Recipient Rebuilding Together Oakland-East Bay for \$150,000

Received and Filed on the Consent Calendar.

- 10.n. [23-268](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute a Loan for \$150,229 in Federal American Rescue Plan Act and Community Development Block Grant Program Funds to Assist Building Futures with Women and Children with Phase 2 of the Rehabilitation of the San Leandro Shelter located at 501 Davis Street

Received and Filed on the Consent Calendar.

- 10.o. [23-290](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute an Amendment to the Consulting Services Agreement with Titan Empire Inc., DBA; The Titan Group, Professional Investigations, for Third-party Internal Affairs Investigation Services for an Additional Cost of \$150,000.00 (bringing the total contract cost to an Amount not to Exceed \$199,000.00)

Received and Filed on the Consent Calendar.

- 10.p. [23-260](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 2 to the Installation Agreement Between the City of San Leandro and Climatec, LLC to Include Interim Replacement Components of the HVAC System at the Senior Community Center for \$123,900

Received and Filed on the Consent Calendar.

- 10.q. [23-289](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute an Amendment to the Consulting Services Agreement with Jensen Hughes, Professional Investigations, for Third-party Internal Affairs Investigation Services Resulting in an Additional Cost of \$150,000.00 (Bringing the Total Contract Cost to an Amount not to Exceed \$190,000.00)
- Received and Filed on the Consent Calendar.
- 10.r. [23-291](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute an Animal Shelter Services Agreement with the East Bay SPCA with a Not to Exceed Amount of \$720,000.00 for Fiscal Years 2023-2024 and 2024-2025
- Received and Filed on the Consent Calendar.
- 10.s. [23-292](#) Staff Report for a City of San Leandro City Council Resolution Approving and Authorizing the City Manager to Execute a Non-Professional Services Agreement for \$751,200 for Fiscal Years 2023-2024 and 2024-2025 with Priority 1 Public Safety Equipment Installation Incorporated, for Maintaining, Servicing, and Outfitting of Existing Police Vehicles to Match Equipment Presently in Use in the Police Department's Fleet
- Received and Filed on the Consent Calendar.
- 10.t. [23-284](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 5 to the Non-Professional Services Agreement with Flagship Facility Services, Inc. For Citywide Janitorial Services for an Amount Not to Exceed \$642,155.58 plus \$25,384.70 for Additional Unscheduled Services for nine months of Fiscal Year 2023-2024
- Received and Filed on the Consent Calendar.
- 10.u. [23-295](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute Two Consulting Services Agreements for Third Party Plan Check Services Between the City of San Leandro and CSG Consultants, Inc. for \$300,000 and TRB+Associates for \$700,000 in FY2023-2024 (for a Total Amount Not to Exceed \$1,000,000)
- Received and Filed on the Consent Calendar.
- 10.v. [23-301](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 1 to Legal Services Agreement Between the City Of San Leandro And Castillo, Moriarty, Tran & Robinson for Tort Litigation Services

The meeting was adjourned at 9:37 p.m.

Received and Filed on the Consent Calendar.

- 10.w. [23-293](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 8 with Del Conte's Landscaping, Inc. for Citywide Median Maintenance and Weed Abatement in City Right-of-Ways for \$111,699.12 from July 1 through December 31, 2023
Received and Filed on the Consent Calendar.
- 10.x. [23-297](#) Second Reading of an Ordinance Amending Ordinance No. 2023-001 To Terminate the City's Eviction Moratorium effective July 31, 2023.
Received and Filed on the Consent Calendar.
- 10.y. [23-304](#) Approve May 15, 2023 City Council Minutes
Approved as Submitted on the Consent Calendar.
- 10.z. [23-305](#) Approve June 5, 2023 City Council Minutes
Approved as Submitted on the Consent Calendar.

11. ITEMS REMOVED FROM CONSENT CALENDAR

- 10.k. [23-239](#) Adopt Two Resolutions: 1) Accept the Engineer's Report for Fiscal Year 2023-2024 for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3; and
2) Order the Levy and Collection of Assessments Within the Heron Bay Maintenance Assessment District; Assessment District No. 96-3 for Fiscal Year 2023-2024
A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, that this Staff Report be Approved. The motion CARRIED by the following vote:
Aye: 5 - Aguilar Jr., Azevedo, Ballew, González III, Bowen
Absent: 2 - Simon, Reyes

4. REPORT ON CLOSED SESSION ACTIONS TAKEN

No report.

5. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

No report.

6. PUBLIC COMMENTS

Comments were made by approximately 7 people.

7. CITY COUNCIL CALENDAR AND ANNOUNCEMENTS

City Councilmembers announced their calendar of upcoming events and coordinated attendance, reported on local events attended since the last meeting, and made brief comments on issues of concern.

8. PRESENTATIONS

8.a. [23-234](#) Strategic Communications Plan Presented by SAE Communications

*Public Information Officer Paul Sanftner presented the item.
Comment was received by approximately two people.*

This matter was Received and Filed

8.b. [23-237](#) Public Safety Work Plan

*Police Chief Abdul Pridgen presented the item.
Comment was received by approximately two people.*

This matter was Presented

12. PUBLIC HEARINGS

No items were scheduled.

13. ACTION ITEMS

13.a. [23-282](#) Adopt a Resolution of Intention to Approve an Amendment to the Contract between the Board of Administration of the California Public Employees' Retirement System; and First Reading and Introduction of an Ordinance to Include Provisions Pursuant to Government Code 20516 "Cost Sharing" for Unrepresented Executive Safety Employees

A motion was made by Councilmember Aguilar, Jr., seconded by Councilmember Bowen, that this Resolution be Approved. The motion CARRIED by the following vote:

A motion was made by Councilmember Aguilar, Jr., seconded by Mayor Gonzalez, that this Ordinance be Approved. The motion CARRIED by the following vote:

Aye: 5 - Aguilar Jr., Azevedo, Ballew, González III, Bowen

Absent: 2 - Simon, Reyes

14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

None.

15. CITY COUNCIL REPORTS

16. ADJOURN

RESPECTFULLY SUBMITTED:

Kelly B. Clancy
City Clerk for the City of San Leandro

DRAFT